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T I D E W A T E R

April 28, 2004

Docket Management Facility
(USCG-2003-14472/MARAD-2003-15171)
U.S. Department of Transportation, Room PL-401
400 Seventh Street, N.W.
Washington, D.C. 20590-0001

USCG - 2003 - 14472 - 7

MARAD - 2003 - 15171 - 5

Ref: (USCG-2003-14472/MARAD-2003-15171)

Dear Administrator:

Thank you for the opportunity to comment on the notice of proposed rulemaking pertaining to lease financing of Jones Act vessels.

I represent Tidewater Barge Lines of Vancouver, Washington. We operate a fleet of 15 towboats and 120 barges servicing the Columbia, Willamette and Snake Rivers. We employ approximately 175 people who directly support our on water operations. Our company has spent close to 20 million dollars since 1996 upgrading our fleet. The Jones Act is the one critical piece of legislation that allows this company to exist, protects our sizable investment, and provides jobs for U.S. citizens. It must be protected and all loopholes closed. It is absolutely vital that American ownership requirements are preserved.

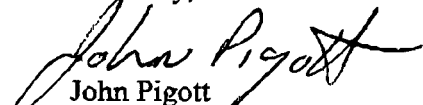
We are pleased with the U.S. Coast Guard's efforts to close the lease financing loophole as reflected in the February 4th final rule. This is a major step forward but much still remains to be done. The Coast Guard and MARAD must promptly address the issues raised in the NPRM so that this loophole can be closed not just narrowed.

We support the more detailed comments made by AWO and the Maritime Cabotage Task Force. In brief, we feel this is what needs to be done.

1. Adopt Alternative 2. Charter back arrangements for the carriage of proprietary cargo should be reviewed by MARAD to ensure proper administration of the rule.
2. Establish a three-year limit on the grandfather provisions.
3. Ensure the Coast Guard has access to her expertise it needs to evaluate whether an application for documentation meets the standards of the regulations. We feel that some well defined criteria should be established to allow for public notice and comment on certain applications. We also feel that the Coast Guard should be free to contract with third party auditors as needed to assist with application reviews.

Thank you for your kind consideration of our comments. We know you understand the importance of timely action in dealing with this very important matter.

Sincerely,



John Pigott
Port Captain

TIDEWATER BARGE LINES, INC.

P.O. Box 1210 • Vancouver, WA 98666-1210 • (360) 693-1491 • (503) 281-0081 • (800) 562-1607

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